IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.18169 of 2008
SUSHIL CHOUDHARY & ORS
Versus
STATE OF BIHAR
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3 **29.08.2008** Heard learned counsel for the petitioners, opposite party no.2 and the State.

Petitioners are accused in a case registered for the offences under Sections 498A of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the allegations levelled in the first information report is general in nature. It is further submitted that the case lodged by the father of the complainant was found to be not true, and as such, police submitted the final form.

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Learned counsel appearing for the complainant, on the other hand, submits that the statement of the complainant under section 164 of the Code of Criminal Procedure would substantiate the allegations made in this complaint. It is further submitted that there is specific allegation against the husband of the complainant namely, Shushil Choudhary.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioners, namely, Umesh Choudhary, Sumiya Devi @ Sumitra Devi & Munni

Kumari be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Katihar, in connection with Complaint Case No. 2796 of 2007 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

So far as the petitioner no.1 namely, Sushil Choudhary is concerned, considering the nature of allegations levelled against him in the complaint, I am not inclined to grant the privilege of anticipatory bail to the petitioner. His prayer for grant of anticipatory bail is, accordingly, rejected.

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Manish/- **(Shailesh Kumar Sinha,J.)**